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Form and Correctness Approved: 

By   
Office of the City Attorney

Contents Approved: 

By   
DEPT.

NORFOLK, VIRGINIA

## ORDINANCE No. 45,570

R-2

AN ORDINANCE GRANTING A SPECIAL EXCEPTION TO PERMIT THE OPERATION OF AN AUTOMOBILE AND TRUCK REPAIR FACILITY KNOWN AS "SAM'S CLUB" ON PROPERTY LOCATED AT 741 EAST LITTLE CREEK ROAD.

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted to permit the operation of an Automobile and Truck Repair facility known as "Sam's Club" on property located at 741 East Little Creek Road. The property which is the subject of this Special Exception is more fully described as follows:

Property fronting 647 feet, more or less, along the southern line of East Little Creek Road, beginning 438 feet, more or less, from the eastern line of Tidewater Drive and extending eastwardly; premises numbered 741 East Little Creek Road.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

- (a) The hours of operation for the facility shall be from 7:00 a.m. until 8:30 p.m. Monday through Saturday and from 10:00 a.m. until 6:00 p.m. on Sunday. No use of the facility outside of the hours of operation listed herein shall be permitted.
- (b) No razor wire shall be permitted on the site.
- (c) No wrecked or inoperative vehicle shall be kept on the property without a work order or an insurance claim form.
- (d) No tires or other vehicle parts shall be stored outside.

- (e) All repair work shall be done inside the building. No repair work may take place outside.
- (f) The property shall be kept in a clean and sanitary condition at all times.
- (g) No automobile on the site which has been or is waiting to be serviced shall be parked or stored in any public right-of-way.
- (h) The facility shall maintain a current, active business license at all times while in operation.

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), namely that:

- (a) The proposed use and development will be in harmony with the objectives and policies of the adopted general plan and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;
- (b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;
- (c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;
- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;
- (e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection,

refuse disposal, parks, libraries, and schools;

- (f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- (g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;
- (h) The proposed use and development will not cause substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;
- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;
- (j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and
- (k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 4:- That this ordinance shall be in effect from the date of its adoption.

Adopted by Council June 10, 2014  
Effective June 10, 2014

TRUE COPY  
TESTE:

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R. BRECKENRIDGE DAUGHTREY, CITY CLERK

BY: \_\_\_\_\_  
DEPUTY CITY CLERK